

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927

Minority (202) 225-3641

January 16, 2014

Mr. Mark J. Costa  
Chief Executive Officer  
Eastman Chemical Company  
PO Box 431  
Kingsport, TN 37662

Dear Mr. Costa:

For more than a week, residents of nine counties in West Virginia have lacked access to clean drinking water as a result of a spill of 4-methylcyclohexane methanol (MCHM), which is manufactured by your company. The public has received little information about the potential acute and long-term health effects of exposure to this chemical. We are writing to request that you immediately provide us with copies of any and all studies about the potential health and environmental effects of exposure to and releases of MCHM and to make appropriately redacted copies available to the public. If you have not already done so, we request that you make this information available to the relevant officials responding to this emergency in West Virginia.

On January 9, West Virginia officials quickly issued a stop-use warning to water customers after discovering that storage tanks owned by Freedom Industries had leaked MCHM into the Elk River, a major source of drinking water for hundreds of thousands of people. But these officials were soon confronted with a lack of information about MCHM. The Material Safety Data Sheet for MCHM provides no information about the potential acute or long-term health effects from exposure to or ingestion of the chemical.<sup>1</sup>

On January 11, two days after the spill was discovered, the West Virginia Department of Health and Human Services announced a level of crude MCHM that officials believe is safe for human consumption—one part per million. The agency explained that this figure is based on the only health study of the chemical scientists could find: a 1990 study by Eastman that was not published in a peer-reviewed journal.<sup>2</sup> Since that time, some have raised concerns about the methodology used to develop this safe exposure level.<sup>3</sup>

---

<sup>1</sup> *What is 'Crude MCHM'? Few know*, Charleston Gazette (Jan. 10, 2014).

<sup>2</sup> *Scientists ID amount of chemical they consider safe*, Charleston Gazette (Jan. 11, 2014).

<sup>3</sup> Richard Denison, Ph.D., Environmental Defense Fund, *West Virginia officials trust shaky science in rush to restore water service: One-part-per-million "safe" threshold has*

Mr. Mark J. Costa  
January 16, 2014  
Page 2

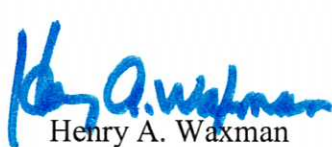
Just last night, on January 15, the West Virginia Department of Health and Human Services issued a new "Water Advisory for Pregnant Women" recommending that pregnant women drink bottled water until there are no longer detectable levels of MCHM in the water distribution system.<sup>4</sup> The advisory included a letter from the Centers for Disease Control, stating that since making the initial calculations establishing the one part per million safety threshold, "scientists have obtained additional animal studies about MCHM."<sup>5</sup>

Given this chain of events and the dearth of scientific study of MCHM, West Virginians are justifiably concerned about whether their water is truly safe for consumption and use. The public, including independent scientists, deserve to have access to the studies that government officials are using to establish and modify these safety thresholds.


We request that you (a) provide us with unredacted copies of any and all studies on the potential effects of MCHM on health and the environment; (b) immediately release these studies to the public, with appropriate redactions for confidential business information (CBI); and (c) provide us with a written explanation for any such redactions for CBI. We ask that you do this by close of business Friday, January 17, 2014.

We appreciate your immediate attention to this matter.

Sincerely,



Henry A. Waxman  
Ranking Member



Paul D. Tonko  
Ranking Member  
Subcommittee on Environment  
and the Economy

---

*questionable basis* (Jan. 15, 2014) (online at <http://blogs.edf.org/health/2014/01/13/west-virginia-officials-trust-shaky-science-in-rush-to-restore-water-service-one-part-per-million-safe-threshold-has-questionable-basis/>).

<sup>4</sup> West Virginia Department of Health, *Water Advisory for Pregnant Women* (Jan. 15, 2014) (online at <http://www.wvdhhr.org/Advisory1152014.pdf>).

<sup>5</sup> Letter from Thomas Frieden, Director, Centers for Disease Control and Prevention, to Secretary Karen Bowling, West Virginia Department of Health and Human Resources (Jan. 15, 2014) (online at [http://www.wvgazette.com/mediafiles/document/2014/01/15/CDC-Letter\\_I140115200848.pdf](http://www.wvgazette.com/mediafiles/document/2014/01/15/CDC-Letter_I140115200848.pdf)).